

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday March 7, 2006, the following members were present:

Greg Jergeson, Chairman
Thomas J. Schneider, Commissioner
Doug Mood, Commissioner
Robert H. Raney, Commissioner
Brad Molnar, Vice Chairman- via telephone

APPEARANCE

Joel Tierney
Utility Division

(86) In the matter of WD Energy Services, Inc. request to terminate their gas supplier license- Docket No. N2001.11.154:

Commissioner Schneider moved to grant the request to terminate WD Energy Services Inc.'s natural gas supplier license. Commissioner Raney seconded the motion, which passed 4-0. The vote was left open for Commissioner Molnar.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(87) In the matter of Joseph L. Garcia dba Mining City Taxi, Butte, Montana request for permission to lease PSC No. 321 to Steven and Mary Assmus dba Mining City Taxi, Butte, Montana for a three month period, March 7, 2006 to June 7, 2006:

Commissioner Raney moved to approve the lease as requested. Commissioner Mood seconded the motion, which passed 4-0.

(88) In the matter of the approval of Commission Minutes:

Commissioner Mood moved to approve the Commission Minutes for the week of February 27, 2006. Commissioner Raney seconded the motion, which passed 4-0.

APPEARANCE

Martin Jacobson
Legal Division

(89) In the matter of the Commission's discussion of Triangle Communications Systems, Inc. application for designation as ETC- Docket No. D2004.1.6:

Commissioner Schneider moved to overrule Triangle Communication's objections and require responses to Montana Consumer Counsel data requests #8 and #9. Commissioner Raney seconded the motion, which passed 4-1. Chairman Jergeson voted no.

APPEARANCE

Martin Jacobson, Legal Division
Mike Lee, Utility Division

(90) In the matter of the Commission's discussion of NorthWestern Energy consolidated annual qualifying facility avoided cost- Docket No. D2003.7.86, D2004.6.96, and D2005.6.103:

Commissioner Schneider moved that the DNRC intervention be granted and that the Notice of Commission Action include recommendations made by staff. Commissioner Raney seconded the motion, which passed unanimously.

Commissioner Schneider moved that the parties be notified that consideration of the CELP motion will be deferred until the hearing. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson
Legal Division

(91) In the matter of the Commission's discussion of Landmark Water Company rate case-increase- Docket No. D2005.5.75:

Commissioner Raney moved to provide a Notice of Opportunity for Hearing in Docket No. D2005.5.75. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan
Legal Division

(92) In the matter of the Commission's discussion of Avista Corporation application for an

Order Disclaiming Jurisdiction over a Corporate Reorganization to create a holding company, AVA Formation Corporation- Docket No. D2006.2.22:

Commissioner Mood moved to deny the application for an order disclaiming jurisdiction and direct staff to issue a Notice of Application in D2006.2.22. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(93) In the matter of the Commission's discussion of Energy & Telecommunications Interim Committee for Public Service Commission feedback on draft bills:

Commissioner Raney moved to proceed with the analysis related to LC37 according to staff recommendations. Commissioner Molnar seconded the motion, which passed unanimously.

Commissioner Raney moved to adopt staff recommendations in the matter of LC38. Commissioner Schneider seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Candace Beery
Utility Division

(94) In the matter of the Commission's discussion of OMS Board Meeting March 9th, 2006. The OMS Board members may vote upon several draft comments, including on Long-Term Financial Transmission Rights and others:

Commissioner Jergeson moved that Montana abstain from participation in these comments and that we include a footnote explaining the abstention. Commissioner Molnar seconded the motion, which passed unanimously.

Commissioner Jergeson moved that Montana participate in joining the statement of common principles. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(95) In the matter of Flathead Area Custom Transportation dba Kalispell Taxi & Airport Shuttle Service, Kalispell, Montana rate changes without Public Service Commission approval:

Commissioner Schneider moved to proceed with the recommendation of staff to issue a Notice of Proposed Fine and Opportunity for Hearing with the amount of the proposed fine being \$2000.00. Commissioner Mood seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGESON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)